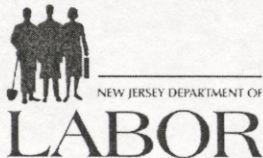


NEWS



www.nj.gov/labor

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State of New Jersey
Department of Labor
PO Box 110
Trenton, New Jersey
08625-0110

Notice of Proposed Readoption

Re: Proposed Readoption: N.J.A.C. 12:194
Model Rocketry

Attached please find the above-referenced matters which were published in the December 2, 2002, 2002 *New Jersey Register*.

If you have any questions, please contact Frederick S. Cohen, Regulatory Officer 1 at (609) 777-2960.

(a)

DIVISION OF WORKPLACE STANDARDS

Model Rocketry

Proposed Readoption: N.J.A.C. 12:194

Authorized By: Albert G. Kroll, Commissioner, Department of Labor.

Authority: N.J.S.A. 21:1C-1 et seq., specifically 21:1C-6.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2002-430.

A **public hearing** on the rules proposed for readoption will be held on the following date at the following location:

Thursday, December 26, 2002

10:00 A.M. to 12:00 Noon

New Jersey Department of Labor

John Fitch Plaza

13th Floor Auditorium

Trenton, New Jersey

Please call the Office of Regulatory Services at (609) 292-7375 if you wish to be included on the list of speakers.

Submit written comments by January 31, 2003 to:

Frederick S. Cohen, Regulatory Officer

Office of Regulatory Services

New Jersey Department of Labor

PO Box 110—13th Floor, Suite G

Trenton, New Jersey 08625-0110

Fax: (609) 292-8246

If you need this document in Braille, large print or audiocassette, please contact the Office of Communications at (609) 292-3221 or NJ Relay (TTY) 1-800-852-7899.

The agency proposal follows:

Summary

N.J.A.C. 12:194, which pertains to rocket experimentation by amateurs, will expire on May 2, 2003, pursuant to N.J.S.A. 52:14B-5.1c. After a review thereof, the Department of Labor has determined that the aforesaid rules should be proposed for readoption. The rules were promulgated to implement N.J.S.A. 21:1A-128 et seq. and to conform to national standards concerning the use of model rockets. In addition, the rules proposed for readoption adopt the standards of the National Fire Protection Association (NFPA) 1122, Code for Model Rocketry, 1994 edition, and any amendments thereto. They also establish additional regulations governing the use of model and amateur rocketry. Thus, the rules proposed for readoption are as follows:

Subchapter 1 sets forth general standards, including the purpose and scope of the rules and the national standards that are adopted by reference.

Subchapter 3 explains age restrictions on the use of model rockets.

Subchapter 4 delineates certification procedures for the sale of model rockets.

Subchapter 5 delineates permit requirements for model rocket engine storage.

Subchapter 6 discusses violation/penalty criteria for protection of the general public.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirements, pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The rules proposed for readoption will have a positive social impact as they adopt by reference nationally recognized methods for the use of model rockets. The adoption of these standards will result in safer products and parameters for the manufacturer and use of model rockets. This will protect the health, safety and welfare of manufacturers and users of model rockets as well as the general public.

Economic Impact

The rules proposed for readoption will have minimal, if any, economic impact. The adoption of nationally recognized standards will help to decrease costs related to injuries resulting from the unsafe manufacture and use of model rockets. The Department will not require additional professional services to comply with these rules.

Federal Standards Statement

A Federal standards analysis is not required as the rules proposed for readoption are not subject to any Federal requirements or standards.

Jobs Impact

The rules proposed for readoption will not impact jobs. The Department does not anticipate an increase or decrease in jobs as a result of these rules.

Agriculture Industry Impact

The rules proposed for readoption will have no impact on the agriculture industry.

Regulatory Flexibility Analysis

The rules proposed for readoption will impose additional reporting, recordkeeping and compliance requirements on small businesses as defined by the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. Specifically, the new rules will require that a permit be obtained for the storage of more than 100 kilograms (220 pounds) of solid propellant model rockets. This permit requirement is imposed on all businesses which possess, use, purchase, transport or sell model rockets regardless of size and is necessary to protect the safety, health and welfare of manufacturers and users of model rockets as well as the general public. It is noted that no fee is associated with obtaining this permit and outside professional services will not be required to comply with these rules.

Smart Growth Impact

The rules proposed for readoption will not have an impact on the growth, development or redevelopment of the States' urban or suburban areas with regard to existing or proposed land use, protection of open space or transportation systems. Therefore, the rules will not impact the achievement of smart growth or the implementation of the State Development or Redevelopment Plan.

Full text of the proposed readoption may be found in the New Jersey Administrative Code at N.J.A.C. 12:194.
